



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,537	01/04/2002	Dietrich W. Schultz	109476-080UTL	9387
27189 7590 10/05/2007 PROCOPIO, CORY, HARGREAVES & SAVITCH LLP 530 B STREET SUITE 2100 SAN DIEGO, CA 92101			EXAMINER VAUGHN, GREGORY J	
			ART UNIT 2178	PAPER NUMBER
			NOTIFICATION DATE 10/05/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@procopio.com
PTONotifications@procopio.com

Office Action Summary

Application No.

10/039,537

Applicant(s)

SCHULTZ ET AL.

Examiner

Gregory J. Vaughn

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Application Background

1. This action is responsive to the Request for Continued Examination, filed on 7/30/2007.
2. Applicant has amended claims 17, 23 and 29, and added new claim 31. Claims 1-16 were previously canceled.
3. Claims 17-31 are pending in the case, claim 17 is an independent claim.
4. A request for continued examination filed under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after a final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office Action (dated 7/28/2006) has been withdrawn pursuant to 37 CFR 1.114.
5. The rejection of claims 17-30, made under 35 USC 103(a), as being unpatentable over Bernardo et al. US Patent 6,684,369, filed 6/19/1998, in view of Beizer et al., US Patent Publication 2002/0059325, filed 8/19/1998, as recited in the previous office action (dated 7/28/2006) is withdrawn in view of the claim amendments. However, new grounds of rejection are made, as described below.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

7. Claims 17-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al. US Patent 6,684,369, filed 6/19/1998, patented 1/27/2004 (hereinafter Bernardo) in view of Ackermann Jr. et al., US Patent 6,606,653, filed 10/17/1999, patented 8/12/2003 (hereinafter Ackermann).

8. **Regarding independent claim 17**, Bernardo discloses a computer-implemented method of generating a document. Bernardo recites: *"One embodiment of the invention provides a tool, system and method for creating Web sites"* (column 5, lines 29-30), where Bernardo defines "web sites" as: *"For example, FIG. 5 depicts the feature of Web site areas. As shown in FIG. 5, the site area options may include a list of predefined site areas such as Company Forms Area, Contact Management Area, Customer Tracking Area, Discussion Area, Document Library Area"* (column 7, lines 26-30).

Bernardo discloses a first user interface configured to specify a document template. Bernardo recites: *"A conventional editor may be used to edit HTML objects within the system. A conventional technique (e.g., a computer*

gateway interface (CGI)) may be used to store the edited HTML objects in the HTML database" (column 6, lines 10-14).

Bernardo discloses in Figure 3, a second user interface (see reference sign 4, shown as "*Identify Interface*"), which is configured to specify a document content file (see reference sign 16, shown as "*Enter Data*"). Bernardo discloses the functionality of the second user interface as being determined by a user other than the second user. Bernardo recites: "*Another object of the invention is to provide a tool for creating a Web site where the tool comprises a library of stored templates (including fields) associated with different options/features for a Web site, the tool prompts a user of the tool to select desired options/features from a list of possible options/features. Based upon the option/features selected, the tool determines which of the stored templates (and fields) are to be used and the user is prompted to supply data to populate those fields*" (column 2, lines 49-57).

Bernardo discloses in Figure 3, combining the template and the content file to generate and publish the document at reference sign 20 (shown as "*Populate Profile Fields with Data*") and reference sign 22 (shown as "*Create Pages*") and reference sign 24 (shown as "*Publish*").

Bernardo discloses updating the elements of the published document. Bernardo recites: "*enabling a web site creator using the tool to access and modify the modifiable profile documents, wherein modification to a particular one of the modifiable profile documents updates every occurrence of the HTML objects and non-HTML objects presented on the Web site that*

correspond to the particular one of the modifiable profile documents" (claim 1) where Bernardo describes the profile document as: *"The templates comprise databases which may include fields, forms, views, text, formulas and profiles that enable customization of the features. A profile may comprise fields, some of which may be designated as required fields. For example, one feature of a Web site may be a list of site areas"* (column 6, lines 37-42). However Bernardo fails to disclose identifying a current URL in the document, identifying a new URL corresponding to the current URL in the document, modifying the document based on the new URL and publishing the document to a new location. Ackermann teaches updating links in web pages. Ackermann discloses identifying a current URL in the document in Figure 4 at reference sign 72 (shown as *"Link is Selected"*). Ackermann discloses identifying a new URL corresponding to the current URL in Figure 4 at reference sign 77 (shown as *"Target page at new location sends it's new URL and HTML upgrade of link with new URL to source web page"*). Ackermann discloses modifying and publishing the document based on the new URL to generate a modified document in Figure 4 at reference sign 79 (shown as *"Upgrade source web page and embedded link"*).

Therefore, it would have been obvious, for one of ordinary skill in the art, at the time the invention was made, to combine the web site creating features of Bernardo with updating links, as taught by Ackermann, in order to *"provide a structured way to update the URLs pointed to by embedded links in source*

Art Unit: 2178

Web pages when the target pages of such links have moved and have new URLs" (column 1, lines 58-61).

9. **Regarding dependent claim 18**, Bernardo discloses the first user interface configured to specify functionality of the second user interface. Bernardo recites: *"Another object of the invention is to provide a tool for creating a Web site where the tool comprises a library of stored templates (including fields) associated with different options/features for a Web site, the tool prompts a user of the tool to select desired options/features from a list of possible options/features. Based upon the option/features selected, the tool determines which of the stored templates (and fields) are to be used and the user is prompted to supply data to populate those fields"* (column 2, lines 49-57).
10. **Regarding dependent claim 19**, Bernardo discloses a second user interface as described above. Bernardo also discloses the template defines the functionality available through the second user interface. Bernardo recites: *"The tool further comprises a library of templates (e.g., text, fields, HTML code and formulas) that correspond to the available features and options"* (column 6, lines 34-37).
11. **Regarding dependent claim 20**, Bernardo discloses a template that defines an editable section in Figure 13, shown as an *"approval message"* text entry area on the template shown in the figure.

12. **Regarding dependent claim 21**, Bernardo discloses content received from a user. Bernardo recites: *"Another object of the invention is to provide a tool for creating a Web site where the tool comprises a library of stored templates (including fields) associated with different options/features for a Web site, the tool prompts a user of the tool to select desired options/features from a list of possible options/features. Based upon the option/features selected, the tool determines which of the stored templates (and fields) are to be used and the user is prompted to supply data to populate those fields"* (column 2, lines 49-57).

13. **Regarding dependent claim 22**, Bernardo discloses a second user interface configured to allow a user to specify a content file related to a first document template. Bernardo discloses in Figure 3, a second user interface (see reference sign 4, shown as *"Identify Interface"*), which is used to generate document content (see reference sign 16, shown as *"Enter Data"*). Bernardo discloses the functionality of the second user interface as being determined by a user other than the second user. Bernardo recites: *"Another object of the invention is to provide a tool for creating a Web site where the tool comprises a library of stored templates (including fields) associated with different options/features for a Web site, the tool prompts a user of the tool to select desired options/features from a list of possible options/features. Based upon the option/features selected, the tool determines which of the stored templates (and fields) are to be used and the user is prompted to supply data to populate those fields"* (column 2, lines 49-57).

14. **Regarding dependent claims 23-28**, Bernardo discloses different types of publishing (claim 23), where the publish type is page preview (claim 24), a local publish (claim 25) an external publish (claim 26) a local stage (claim 27) and an external stage (claim 28) Bernardo discloses a preview. Bernardo recites: *"Once selections have been made, the user can preview the design and then make changes as desired"* (column 8, lines 60-62). Bernardo discloses a local and an external publish. Bernardo recites: *"After the desired changes have been made, select Yes to Republish the Page, then click Submit. According to another aspect of the invention, when a user edits and republishes a page, the page may become public immediately"* (column 23, lines 13-16). Bernardo discloses the publish type as a local publish and stage. Bernardo recites: *"the content creator may be presented with context sensitive help pages"* (column 13, lines 21-22).
15. **Regarding dependent claims 29 and 30**, Bernardo and Ackermann disclose modifying and publishing a plurality of documents with new location URLs, as described above.
16. **Regarding dependent claim 31**, as described above Bernardo and Ackermann disclose determining whether the document needs to be modified based on a context of the URL in Figure 4 of Ackermann at reference sign 73 (shown as *"Target web page moved?"*)

Response to Arguments

17. Applicant's arguments with respect to claims 17-30 have been considered but are moot in view of the new ground(s) of rejection, as described above.

Art Unit: 2178

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
Patent Examiner
September 26, 2007


STEPHEN HONG
SUPERVISORY PATENT EXAMINER